

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
JOHN CARR,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 05-10445-RBC
SIEMENS DEMATIC CORP., et al.,)	
)	
Defendants.)	
)	
)	
_____)	

ANSWER OF DEFENDANT AMEC CONSTRUCTION MANAGEMENT, INC.

Defendant AMEC Construction Management, Inc. ("AMEC") hereby answers each numbered paragraph of Plaintiffs' Complaint as follows:

PARTIES

1. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1 of the Complaint.
2. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 2 of the Complaint.
3. The allegations in Paragraph 3 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.
4. AMEC admits the allegations in Paragraph 4 of the Complaint.

5. The allegations in Paragraph 5 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC denies the allegations set forth therein.

6. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 6 of the Complaint.

COUNT I

7. AMEC repeats and incorporates herein by reference its responses to the allegations contained in Paragraphs 1-6 of the Complaint as if realleged herein.

8. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 8 of the Complaint.

9. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 9 of the Complaint.

10. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 10 of the Complaint.

11. The allegations in Paragraph 11 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

12. The allegations in Paragraph 12 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

COUNT II

13. AMEC repeats and incorporates herein by reference its responses to the allegations contained in Paragraphs 1-12 of the Complaint as if realleged herein.

14. The allegations in Paragraph 14 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

15. The allegations in Paragraph 15 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

16. The allegations in Paragraph 16 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

17. The allegations in Paragraph 17 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

18. The allegations in Paragraph 18 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

19. The allegations in Paragraph 19 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

COUNT III

20. AMEC repeats and incorporates herein by reference its responses to the allegations contained in Paragraphs 1-19 of the Complaint as if realleged herein.

21. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 21 of the Complaint.

22. The allegations in Paragraph 22 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

23. The allegations in Paragraph 23 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

24. The allegations in Paragraph 24 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

25. The allegations in Paragraph 25 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without

knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

26. The allegations in Paragraph 26 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

27. The allegations in Paragraph 27 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

COUNT IV

28. AMEC repeats and incorporates herein by reference its responses to the allegations contained in Paragraphs 1-27 of the Complaint as if realleged herein.

29. AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 29 of the Complaint.

30. The allegations in Paragraph 30 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC denies the allegations set forth therein.

31. The allegations in Paragraph 31 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC denies the allegations set forth therein.

32. The allegations in Paragraph 32 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC denies the allegations set forth therein.

33. The allegations in Paragraph 33 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC denies the allegations set forth therein.

34. The allegations in Paragraph 34 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

35. The allegations in Paragraph 35 of the Complaint call for a legal conclusion to which no response is required. To the extent a response is required, AMEC is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein.

FIRST AFFIRMATIVE DEFENSE

The Plaintiffs' claims are barred, in whole or in part, by Plaintiff's comparative negligence.

SECOND AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred by the applicable statutes of limitations.

THIRD AFFIRMATIVE DEFENSE

The Plaintiffs' claims are barred because Plaintiff's injuries were caused solely by the acts of third persons for whose conduct AMEC is not legally responsible.

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs have failed to state a claim upon which relief can be granted.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff is barred from recovery by the doctrines of laches, estoppel, and unclean hands.

SIXTH AFFIRMATIVE DEFENSE

AMEC reserves all defenses that may exist but cannot now be determined because of the generality of the allegations in the complaint.

AMEC CONSTRUCTION
MANAGEMENT, INC.

By its attorneys,

/s/ Matthew M. Burke
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Dated: September 1, 2005